THE HON'BLE MR JUSTICE V.ESWARAIAH

-

WRIT PETITION NO : 2386 of 2006

-

DATED: 10-02-2006

Pogaku Gandaiah.

..... PETITIONER

AND

The Mandal Revenue Officer,

Bibinagar Mandal, Nalgonda District& 2 others.

.....RESPONDENTS

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioner submits that he and his brother purchased Ac.3-00 gts of dry land in S.Nos.19 and 20, an extent of Ac.1.03 gts in S.No.19 and an extent of Ac.1.37 gts in S.No.20 within the revenue limits of Nemaragomula village, Bibinagar Mandal, Nalgonda District, and after obtaining the registered sale deed vide Doc.No.1248/86, dated 25-06-1986, they applied for mutation of the said lands in their names. They also made an application before the 1st respondent-Mandal Revenue Officer, Bibinagar, to issue record of rights and pattadar passbooks but the Mandal Revenue Officer issued record of rights and pattadar passbooks in respect of the S.No.20 and no title deed and pattadar passbooks have been issued in respect of S.No.19. Thus the Mandal Revenue Officer rejected the request of the petitioner to mutate their names in respect of S.No.19. That being so, there is an effective alternative remedy available to the petitioner and his brother under Section 5 (5) of the A.P. Rights in Land and record of pattadar passbooks Act, 1971, to file an appeal before the

Revenue Divisional Officer.

3. Having regard to the facts and circumstances of the case, the Writ Petition is dismissed with a liberty to the petitioner to file an appeal before the Revenue Divisional Officer concerned.

_____

(V.ESWARAIAH,J)

10th February, 2006.

Tsy